

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL ANTHONY ABELS,

Petitioner,

v.

PAT GLEBE,

Respondent.

CASE NO. C09-1720-RSM

ORDER GRANTING RESPONDENT'S
MOTION TO DISMISS FEDERAL
HABEAS PETITION

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's motion to dismiss the petition, the Report and Recommendation of James P. Donohue, United States Magistrate Judge, objections filed by both parties, and the remaining record, does hereby find and Order:

(1) The Court adopts the Report and Recommendation.

(2) Respondent's motion to dismiss petitioner's federal habeas petition as time-barred under 28 U.S.C. § 2244(d) (Dkt. No. 13) is GRANTED and the petition is dismissed with prejudice.

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1 (3) Petitioner's Motion to Appoint Counsel (Dkt. #21) is DENIED.

2 (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for
3 respondent, and to Judge Donohue.

4 DATED this 6 day of July 2010.

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9 RICARDO S. MARTINEZ
10 UNITED STATES DISTRICT JUDGE
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